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**PLUMAS COUNTY  
PLANNING COMMISSION**

Minutes of the Meeting of September 6, 2018

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**PLANNING COMMISSION MEMBERS:**

**Dr. Robert Abbott**, *Chair (District 1)*

**Jeff Greening**, *Commissioner (District 3)*

**Larry Williams**, *Commissioner (District 4)*

**John Olofson**, *Vice-Chair (District 5)*

**I. CALL TO ORDER**

The Plumas County Planning Commission (the *Commission*) convenes in a meeting on September 6, 2018, at 10:00 a.m. in the Planning and Building Services Conference Room, Quincy, CA. Chair Dr. Robert Abbott presides.

**II. SALUTE TO THE FLAG**

**III. ROLL CALL**

**Commissioners Present:** Dr. Robert Abbott, Jeff Greening, Larry Williams, John Olofson

**Commissioners Absent:** none

**Also in attendance** (*Supervisors and staff*)

Randy Wilson, Planning Director

Rebecca Herrin, Assistant Planning Director

Tim Evans, Assistant Planner

Gretchen Stuhr, Deputy County Counsel III

**IV. CONSENT ITEMS**

**A. Items to be continued or withdrawn from the agenda**

None.

**V. PLANNING COMMISSIONERS' REPORTS/COMMENTS**

Commissioner Williams reports on the Court of Appeals hearing on the General Plan lawsuit with High Sierra Rural Alliance. He states that the Court of Appeals was most impressive and he feels that the hearing went very well. The county's attorney, Jim Moose, was impressive as well.

**VI. PUBLIC COMMENT OPPORTUNITY**

There are no public comments.

**VII. PLANNING DIRECTOR'S REPORT**

Planning Director Randy Wilson shares anecdotes from the Court of Appeals hearing.

Wilson reports that there is new legislation that will need to be followed: SB 901 and SB 1260 regarding wildfires. The state is looking at wildfires caused by utilities and how to address in the future.

The county's RHNA (Regional Housing Needs Allocation) numbers have been released, requiring 20 affordable units to Plumas County; 4 units to the City of Portola. Wilson feels there is no urge to update the Housing Element.

Plumas County Fire Safe Council has paid for a new automatically operated projection screen and Facilities Services has installed the screen.

**VIII. ZONING CODE UPDATE: DRAFT TELECOMMUNICATIONS ORDINANCE:**  
**Discussion/workshop**

Assistant Planner Tim Evans reports that there are no corrections to the ordinance. The corrections from two meetings ago are:

Page 6, "facilities" struck.

Addition of "airport or airstrip" throughout.

Deputy County Counsel III Gretchen Stuhr discusses Government Code Section 65850.3 regarding antennas. There is not a lot of case law regarding regulations; 2 cases in California and 12 nationwide. Essentially, the county cannot be rigid regarding height limitations. As the ordinance does contain a variance procedure, we would seem to be reasonable in accommodating facilities to be established. The standards must be the minimum practicable to accomplish the state's purpose. The county must be able to compromise to reach agreement and to negotiate in good faith to achieve goals, needs and purposes and be reasonably accommodating. The Radio Club has expressed concern with fees.

Wilson explains the zoning matrix in the ordinance indicates that special use permits are required in residential areas and for any new facilities. Is this what the Commission wants? There could be a Zoning Clearance Certification for the amateur radio operations.

Keith Chambers states that he accepts the height limitations as reasonable. He accepts that there will be a cost associated with application. Stuhr explains that the ordinance requires a variance for towers over 70 feet.

Wilson is concerned with the antennas on Radio Hill as the zoning is R-10 and R-20, which are residential zones. Chambers reads from language on page 6, d) which indicates that government-owned communications facilities are exempt.

Wilson states that the FCC will have a new ruling on 5G on September 26, 2018. An article presented to the Commission indicates that the Federal government seeks to bar municipal bans and to give guidance of fees for cost recovery by local governments. Small cells will have to be approved within 60 to 90 days. Wilson does not think that Plumas County is a target for installation of small cells.

Commissioner Greening asks Stuhr if she has anything further on her review of the letter from AT & T.

Stuhr responds that there is one area for cleanup in the ordinance language: on Page 3 of 6 of the letter of July 18<sup>th</sup>, in the last paragraph: The required findings by the Zoning Administrator should be corrected to “least intrusive” from “no feasible alternative”. (Sections 9-2.4106(b)(3) and 9-2.4108(b)(2)). Evans adds that Page 8 and Page 11 need updating. Stuhr does not agree with the letter that the required findings go too far.

Keith Chambers comments regarding the definition of preexisting facilities on the top of Page 6 and restoration/enlargement. Evans responds that the language is really close to the language of Plumas County Code Section 9-2.503. Wilson states that the language should default to existing code language in order to be consistent.

Stuhr states that there is not a lot different in the new FCC proposal. FCC is concerned with wide range of local fees.

Wilson intends to provide feedback to Evans on the Telecommunications Ordinance Initial Study by the end of the day. Maybe the IS can be released early next week with a target hearing date of October 18<sup>th</sup> for the public hearing. Staff will prepare resolutions for the Commission to adopt with recommendations on the environmental (CEQA) review as well as the ordinance adoption.

**IX. ZONING CODE UPDATE: WATER EFFICIENT LANDSCAPE ORDINANCE:**  
**Discussion/Workshop**

Evans had a discussion with Department of Water Resources regarding the Model Water Efficient Landscape Ordinance. Staff agrees that the state model should be adopted by the county.

*M/S/C: Greening/Williams/4-0 to move the ordinance toward public hearing at the meeting of October 4<sup>th</sup>.*

**X. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES:**  
None.

**XI CORRESPONDENCE:**  
There is no correspondence.

**XII. FUTURE AGENDA ITEMS:**  
Commissioner Greening would like a list of the zoning code updates on the agenda.

Commissioner Williams enquires about the status of the District 2 Planning Commission appointment. Wilson responds that he will have a conversation with Supervisor Goss in the next week or so. Goss is still looking to recruit.

Commissioner Williams asks about a noise ordinance as there is currently logging going on across the street from his house. Assistant Planning Director Herrin explains that the zoning in that area is Timberland Production Zone (TPZ). Keith Chambers will speak with the logging operators as there is cable logging that is noisy. Plumas County has a “right to farm” ordinance that states logging operations cannot be considered a nuisance.

Wilson reports that at the next meeting, staff will distribute copies of the DWR draft floodplain ordinance for review by the Commission.

*M/S/C: Greening/Olofson/4-0 to work on the DWR Model Floodplain ordinance.*

Commissioner Williams would like to see staff's recommendation on the zoning code update.

**XIII. ADJOURNMENT:**

*M/S/C: Olofson/Greening/4-0 to adjourn the meeting of September 6, 2018 at 11:50 a.m.*

There being no further business, the meeting is adjourned until the next regularly scheduled meeting on September 20, 2018.

  
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Dr. Robert Abbott, Chair  
Plumas County Planning Commission

  
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Rebecca Herrin, Assistant Planning Director